

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 21, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY KNOWN AS 34719
N. ELK-CHATTAROY ROAD, ELK,
WASHINGTON, TOGETHER WITH
ALL APPURTENANCES, FIXTURES,
ATTACHMENTS, AND
IMPROVEMENTS THERETO AND
THEREUPON; REAL PROPERTY
KNOWN AS 3707 E. BAILEY RD.,
CHATTAROY, WASHINGTON,
TOGETHER WITH ALL
APPURTENANCES, FIXTURES,
ATTACHMENTS, AND
IMPROVEMENTS THERETO AND
THEREUPON; and REAL PROPERTY
KNOWN AS 6409 E. VALLEY LANE,
ELK, WASHINGTON, TOGETHER
WITH ALL APPURTENANCES,
FIXTURES, ATTACHMENTS, AND
IMPROVEMENTS THERETO AND
THEREUPON,

Defendants.

NO: 2:24-CV-0021-TOR

DEFAULT JUDGMENT AND
FINAL ORDER OF FORFEITURE

1 BEFORE the Court is Plaintiff's Motion for Default Judgment and Final
2 Order of Forfeiture. ECF No. 25.

3 Plaintiff alleged in a Verified Complaint for Forfeiture *In Rem* that the
4 Defendant Properties captioned above are subject to forfeiture to the United States
5 pursuant to 21 U.S.C. § 881. ECF No. 1. The Court has jurisdiction over this
6 matter under 28 U.S.C. § 1355, and venue is proper under the same statute.

7 The Defendant Properties being sought for forfeiture are described as
8 follows:

9 Real property known as 34719 N. Elk-Chattaroy Road, Elk, Washington,
10 legally described as follows:

11 The South half of the South half of the Northeast Quarter of the
12 Northwest Quarter in Section 33, Township 29 North, Range 44
13 E.W.M.; Excepting therefrom Elk-Chattaroy CPH No 70 on the East;
14 Situated in the County of Spokane, State of Washington.

15 TPN: 49332.9065.

16 Together with all appurtenances, fixtures, attachments and
17 improvements thereto and thereupon.

18 Subject to all easements, restrictions, reservations and covenants of
19 record.

20 Real property known as 3707 E. Bailey Rd., Chattaroy, Washington, legally
described as follows:

Lot 6, Block 1, Paradise Pines First Addition, according to plat
recorded in Volume 9 of Plats, Page 45, in Spokane County,
Washington.

TPN: 39271.0306

Together with all appurtenances, fixtures, attachments and
improvements thereto and thereupon.

1 Subject to all easements, restrictions, reservations and covenants of
2 record.

3 Real property known as 6409 E. Valley Lane, Elk, Washington, legally
4 described as follows:

5 Tract F, Short Plat No 78-021, as per plat recorded in Volume 1 of
6 Short Plats, Page 30, records of Spokane County; Situate in the
County of Spokane, State of Washington.

TPN: 39132.9038

7 Together with all appurtenances, fixtures, attachments and
improvements thereto and thereupon.

8 Subject to all easements, restrictions, reservations and covenants of
9 record.

On January 26, 2024, the United States recorded and filed Lis Pendens.

10 (ECF Nos. 2 – 4). On March 1, 2024, the United States Marshals posted notice of
11 the civil forfeiture action on the Defendant Properties. (ECF Nos. 7 – 9). In
12 accordance with Fed. R. Civ. P. Rule G(4)(a), notice of civil forfeiture was posted
13 on an official government website, www.forfeiture.gov, beginning February 9,
14 2024, and ending March 9, 2024. (ECF No. 16). In accordance with 18 U.S.C. §
15 985 and Fed. R. Civ. P. Rule G(4)(b), Supplemental Rules for Admiralty or
16 Maritime Claims and Asset Forfeiture Actions, all known potential claimants were
17 served with notice of this forfeiture action or by constructive service in accordance
18 with RCW 4.28.080(17) and 4.28.100(6) (ECF Nos. 10 – 15, 19).

19 On July 2, 2024, the Court entered an order striking the claims of Benjamin
20 Hill and Carly Owsiak. (ECF No. 18). On August 21, 2024, Clerk's Orders of

1 Default were entered against Liang Chen, Ping Qiang Chen, Zhiqin Chen, and Joe
2 Lavigne. (ECF No. 24).

3 No timely claims to the Defendant Properties have been received or filed
4 with the Court, and the deadline for filing timely claims has passed.

5 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion for
6 Default Judgment and Final Order of Forfeiture, ECF No. 25, is **GRANTED**.

7 A Default judgment is entered against the interests of Liang Chen, Ping
8 Qiang Chen, Zhiqin Chen, and Joe Lavigne, and a judgment is entered against the
9 interests of Benjamin Hill and Carly Owsiak. The Defendant Properties are hereby
10 forfeited to the United States of America and no right, title, or interest shall exist in
11 any other person or entity.

12 **IT IS FURTHER ORDERED** that the United States Marshals Service shall
13 dispose of the forfeited properties described herein in accordance with law. The
14 Court shall retain jurisdiction in the case for the purpose of enforcing or amending
15 this Order.

16 The District Court Clerk is directed to enter this Order and Final Judgment
17 and provide copies to counsel.

18 DATED October 21, 2024.



Thomas O. Rice
THOMAS O. RICE
United States District Judge